

REMARKS

This is a response to the Office Action dated January 11, 2005. Claims 1-16 are pending in the application and 1, 2, 9, and 10 currently stand rejected.

Summary of Examiner's Action

The Examiner rejected Claims 1, 2, 9, and 10 under 35 U.S.C. § 102 as being anticipated by Tamura (U.S. Patent No. 6,095,685).

The Examiner also rejected Claims 1, 2, 9, and 10 under 35 U.S.C. § 102 as being anticipated by Muthmann (U.S. Patent No. 5,086,448).

Response to Rejection of Claims 1, 2, 9, and 10 under 35 U.S.C. §102(b)

In order for a section 102(b) reference to be valid as prior art, every element and limitation of the claimed present invention - as literally defined in the claims - must be disclosed within the piece of prior art. *Jamesbury Corp. v. Litton Indus. Products*, 756 F.2d 1556, 225 USPQ 253 (Fed.Cir. 1985); *Atlas Powder Company v. du Pont*, 750 F.2d 1569 (Fed.Cir. 1984); *American Hospital Supply v. Travenol Labs*, 745 F.2d 1 (Fed.Cir. 1984).

In regards to claims 2 and 10, neither Tamura nor Muthmann suggest the use attachment means which "are adjustable in order to allow the attachment of said surgical table to a variety of said X-ray machines." This limitation is present in both claims 2 and 10. In both Tamura and Muthmann, the tables are an integral part of the X-ray unit. Neither of the references suggests making an attachment means adjustable so that the table can be used on other machines. To the contrary, each of the tables in Tamura and Muthmann are made for a specific machine.

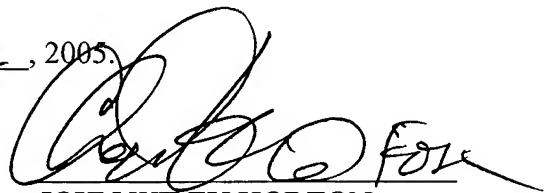
Accordingly, the Applicant's invention is novel in this regard.

This limitation has now been incorporated into claims 1 and 9. Claims 2 and 10 have been canceled for redundancy.

Conclusion

In view of the above amendments and remarks, the Applicant believes that the claims are in condition for allowance. Accordingly, the Applicant respectfully requests that the Examiner reconsider the rejections.

Respectfully submitted this 11 day of April, 2005.

A handwritten signature in black ink, appearing to read "John Wiley Horton", is written over a horizontal line.

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